

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
NORTHWESTERN DIVISION**

United States of America, )  
                                )  
Plaintiff,                 )      **ORDER**  
                                )  
vs.                         )  
                                )  
James Richard Sauder,     )      Case No. 4:10-mj-028  
                                )  
Defendant.                 )

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On May 5, 2010, Defendant filed a “Motion for Recovery of Seized Property.” He seeks a court order directing the return of certain property taken from him at the time of his arrest.

In response, the Government denies there was any unlawful search or seizure of the Defendant’s property. It further advises the court that the requested property is in a vehicle presently impounded at the Minot Police Department impound lot in Minot, North Dakota, and would be returned once he makes appropriate arrangements with Minot Air Force base personnel to pick it up.

As Defendant may pick up his property upon making proper arrangements, it does not appear that any action by this court is necessary at this time. Therefore, the Defendant’s motion (Docket No. 20) is **DENIED** without prejudice and with the understanding that Defendant may renew his motion should the circumstances change.

**IT IS SO ORDERED.**

Dated this 14th day of May, 2010.

/s/ Charles S. Miller, Jr.  
Charles S. Miller, Jr.  
United States Magistrate Judge